
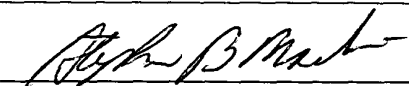


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DT05 Rec'd PCT/PTO 08 NOV 2002

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| FORM PTO-1390 (Modified) (REV 5-93) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | 084335-0158 | |
| | | | | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) | |
| INTERNATIONAL APPLICATION NO. PCT/JP00/05063 | | INTERNATIONAL FILING DATE 28 July 2000 | | 10/048,154 | |
| | | | | PRIORITY DATE CLAIMED 29 July 1999 | |
| TITLE OF INVENTION Stomach Cancer-Associated Gene | | | | | |
| APPLICANT(S) FOR DO/EO/US Toshio OTA; Takao ISOGAI; Tetsuo NISHIKAWA; Koji HAYASHI; Kaoru OTSUKA; Jun-ichi YAMAMOTO; Shizuko ISHII; Tomoyasu SUGIYAMA; Ai WAKAMATSU; Keiichi NAGAI; Tetsuji OTSUKI; Hiroyuki ABURATANI; Tatsuhiko KODAMA; and Yutaka MIDORIKAWA | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| 1. | <input type="checkbox"/> | This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. | | | |
| 2. | <input checked="" type="checkbox"/> | This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. | | | |
| 3. | <input type="checkbox"/> | This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). | | | |
| 4. | <input type="checkbox"/> | A proper Demand for International Preliminary Examination was made by the 19 th month from the earliest claimed priority date. | | | |
| 5. | <input type="checkbox"/> | A copy of the International Application as filed (35 U.S.C. 371(c)(2)) | | | |
| | <input type="checkbox"/> | is transmitted herewith (required only if not transmitted by the International Bureau). | | | |
| | <input type="checkbox"/> | has been transmitted by the International Bureau. | | | |
| | <input type="checkbox"/> | is not required, as the application was filed in the United States Receiving Office (RO/US) | | | |
| 6. | <input type="checkbox"/> | A translation of the International Application into English (35 U.S.C. 371(c)(2)). | | | |
| 7. | <input type="checkbox"/> | Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) | | | |
| | <input type="checkbox"/> | are transmitted herewith (required only if not transmitted by the International Bureau). | | | |
| | <input type="checkbox"/> | have been transmitted by the International Bureau. | | | |
| | <input type="checkbox"/> | have not been made; however, the time limit for making such amendments has NOT expired. | | | |
| | <input type="checkbox"/> | have not been made and will not be made. | | | |
| 8. | <input type="checkbox"/> | A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). | | | |
| 9. | <input type="checkbox"/> | An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). | | | |
| 10. | <input type="checkbox"/> | A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | |
| 11. | <input type="checkbox"/> | Applicant claims small entity status under 37 CFR 1.27. | | | |
| Items 12. to 17. below concern other document(s) or information included: | | | | | |
| 12. | <input type="checkbox"/> | An Information Disclosure Statement under 37 CFR 1.97 and 1.98. | | | |
| 13. | <input type="checkbox"/> | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. | | | |
| 14. | <input type="checkbox"/> | A FIRST preliminary amendment. | | | |
| | <input type="checkbox"/> | A SECOND or SUBSEQUENT preliminary amendment. | | | |
| 15. | <input type="checkbox"/> | A substitute specification. | | | |
| 16. | <input type="checkbox"/> | A change of power of attorney and/or address letter. | | | |
| 17. | <input checked="" type="checkbox"/> | Other items or information: Declaration of Kaoru Otsuka | | | |

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| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) 10/048,154 | | INTERNATIONAL APPLICATION NO. PCT/JP00/05063 | | ATTORNEY'S DOCKET NUMBER 084335-0158 | |
| 18. <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS | |
| Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO.....\$890.00 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$710.00 | | | | | |
| No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00 | | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,040.00 | | | | | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$100.00 | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$0.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e)) | | | | | |
| Claims | Number Filed | | Included in Basic Fee | Extra Claims | Rate |
| Total Claims | 19 | - | 20 | = 0 | x \$18.00 |
| Independent Claims | 1 | - | 3 | = 0 | x \$84.00 |
| Multiple dependent claim(s) (if applicable) | | | | | \$280.00 |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$0.00 | |
| Reduction by 1/2 for filing by small entity, if applicable. | | | | \$0.00 | |
| SUBTOTAL = | | | | \$0.00 | |
| Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f). + | | | | | |
| TOTAL NATIONAL FEE = | | | | \$0.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$0.00 | |
| | | | | Amount to be: refunded \$ | |
| | | | | charged \$ | |
| <p>a. <input type="checkbox"/> A check in the amount of \$0.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed.</p> | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> | | | | | |
| <p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Foley & Lardner Customer Number: 22428</p>  <p style="font-size: 1.2em; font-weight: bold;">22428</p> <p style="font-size: 0.8em;">PATENT TRADEMARK OFFICE</p> </div> <div style="width: 50%; text-align: right;"> <p> SIGNATURE</p> <p>NAME <u>STEPHEN B. MAEBIUS</u></p> <p>REGISTRATION NUMBER <u>35,264</u></p> </div> </div> | | | | | |

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Toshio OTA, et al

SERIAL NO. : 10/048,154

FILING DATE : January 29, 2002

FOR: STOMACH CANCER-ASSOCIATED GENE

DECLARATION OF Kaoru OTSUKA

I, Kaoru OTSUKA am the fifth-named inventor of the above-identified application which is the national phase of PCT U.S. Application based on PCT/JP00/05063 filed July 28, 2000.

Subsequent to the filing of the International application, I have married and changed my surname. Specifically, my maiden name in the International application is "SAITO". My true and correct married name, **Kaoru OTSUKA**, has been set forth on the Declaration and Power of Attorney filed on July 3, 2002.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: October 17, 2002

Kaoru Otsuka
Kaoru OTSUKA
(Married Name)

Kaoru Saito
Formerly **Kaoru SAITO**
(Maiden Name)

2-8-6-A101, Maehara, Honjou-shi,
SAITAMA 367-0047 JAPAN